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#15/10/22/02  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Gallant

Serial No: 09/370,504

Filing Date: 08/09/99

Title: METHOD OF AND SYSTEM  
FOR PROVIDING QUALITY OF  
SERVICE IN IP TELEPHONY

September 30, 2002

Group Art Unit: 2664

Examiner: Ngo, Ricky Quoc

## RESPONSE

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail  
addressed to Assistant Commissioner for Patents, Washington,  
D.C. 20231, on September 30, 2002.

*Tammy S. Senecal*  
Tammy S. Senecal

Assistant Commissioner for Patents  
Washington, DC 20231

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## RESPONSE TO THE EXAMINER'S OFFICE ACTION

In response to the Office Action dated 6/28/02, designated as Paper No. 14 in the  
above-captioned application, please enter the following Remarks as follows:

Remarks

In view of the following remarks, favorable reconsideration of the outstanding office  
action is respectfully requested. Claims 1-24 remain in this application.

**1. § 102 Rejections**

A. The Examiner has rejected claims 1, 2, 4, and 20-23 under 35 U.S.C. § 102(e) as  
being anticipated by U.S. Patent No. 6,081,513 to Roy. The Applicant respectfully traverses  
the rejection because the Examiner has failed to make a prima facie case of anticipation  
because the cited reference does not inherently or expressly describe each element set forth in  
the claims.

Claim 1 is directed to a method for providing quality of service in an Internet Protocol  
(IP) telephony session between a calling party and a called party. The method includes the  
step of transporting IP telephony media for the session between the calling party and a first